

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT NICHOLS FLINT DILLE,
LORRAINE DILLE WILLIAMS
Plaintiff,

CIVIL ACTION

v.

NO. 20-924

LOUISE A. GEER, DANIEL I. HERMAN,
DAVID KLOSS, BRIAN McDEVITT,
DIANE McDEVITT, JOHN O'MALLEY,
HENRY M. SNEATH, GEER AND
HERMAN, P.C., KLOSS STENGER &
LOTEMPPIO, THE BUCK ROGERS
COMPANY, THE NOWLAN FAMILY
TRUST,

Defendants.

ORDER

AND NOW, this 22nd day of December, 2020, **IT IS ORDERED THAT:**

1. In consideration of the Motion to Dismiss of Defendant Henry Sneath (ECF 22), Plaintiffs' Response thereto (ECF 47), and Defendant's Reply (ECF 54), Defendant's Motion is **HEREBY GRANTED**.
2. In consideration of the Motion to Dismiss of Defendant John O'Malley (ECF 21), Plaintiffs' Response thereto (ECF 46), and Defendant's Reply (ECF 51), Defendant's Motion is **HEREBY GRANTED**.
3. In consideration of the Motion to Dismiss of Defendants David Kloss and Kloss Stenger & LoTempuis (ECF 23), and Plaintiffs' Response thereto (ECF 43), Defendants' Motion is **HEREBY GRANTED**.
4. In consideration of the Motion to Dismiss of Defendants Brian McDevitt, Diane McDevitt, the Nowlan Family Trust, and the Buck Rogers Company

(ECF 48), and Plaintiffs' Response thereto (ECF 55), Defendants' Motion is **HEREBY GRANTED**.

5. In consideration of the Motion to Dismiss of Defendants Louise Geer, Daniel Herman, and Geer and Herman, P.C. (ECF 42) and Plaintiffs' Response thereto (ECF 52), Defendants' Motion is **HEREBY GRANTED IN PART AND DENIED IN PART**. The motion is **GRANTED** with respect to all claims against Daniel Herman, all claims against Geer and Herman P.C., and the claims against Louise Geer for fraud upon the court and conspiracy to breach a fiduciary duty and to commit constructive fraud/fraudulent concealment. The motion is **DENIED** with respect to the claims against Geer for breach of fiduciary duty, constructive fraud/fraudulent concealment, and negligence.

6. In consideration of Defendant Sneath's Motion for Sanctions (ECF 36) and Plaintiffs' Response thereto (ECF 41), the Motion is **HEREBY DENIED**.

The clerk is **HEREBY ORDERED** to terminate from this matter Defendants Daniel Herman, David Kloss, Brian McDevitt, Diane McDevitt, John O'Malley, Henry Sneath, Geer and Herman, P.C., Kloss Stenger & LoTempio, the Buck Rogers Company, and the Nowlan Family Trust, all in compliance with this Order.

BY THE COURT:

/s/Wendy Beetlestone, J.

WENDY BEETLESTONE, J.